

Message Text

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ACTION OES-04

INFO OCT-01 EUR-12 ISO-00 DLOS-04 L-03 AF-06 ARA-06 EA-06

NEA-10 OIC-02 USIE-00 INRE-00 SSO-00 NSCE-00 AID-05

CEQ-01 CIAE-00 OFA-01 COME-00 DODE-00 EB-07 EPA-01

INR-07 IO-10 NSF-01 NSC-05 NSAE-00 PM-03 SS-15 SP-02

FEAE-00 /112 W

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TO SECSTATE WASHDC IMMEDIATE 9910

C O N F I D E N T I A L OSLO 2475

E.O. 11652: GDS

TAGS: XV, TGEN, PLOS

SUBJ: ANTARCTIC CONSULTATIVE MEETING: MINERAL RESOURCES

FROM USDEL ANTARCTICA

1. INFORMAL WORKING GROUP CHAIRMED BY AUSTRALIA TO DRAFT TERMS OF REFERENCE OF LEGAL/POLITICAL MEETING OF EXPERTS, REPORTED SEPTEL, CONTINUED DISCUSSIONS JUNE 16. AUSTRALIA AND CHILE MADE IT CLEAR THEY CANNOT AGREE TO ANY RECOMMENDATIONS ON MINERAL RESOURCES THAT DOES NOT INCLUDE PARAGRAPH ON INTERIM POLICY OF VOLUNTARY RESTRAINT. INFORMAL FRANK DISCUSSION SUGGESTS THIS IS FINAL POSITION AND OTHER DELS MAY AGREE. USDEL INDICATED IT WAS HIGHLY DOUBTFUL US COULD AGREE TO ANY RECOMMENDATIONS THAT INCLUDE A TEXT ON INTERIM POLICY OF RESTRAINT. IN LIGHT OF WHAT FOLLOWS, DEL REQUESTS GUIDANCE ON THIS ISSUE WHICH MAY BE THE CRUNCH POINT.

2. INFORMAL DISCUSSIONS IN CONSTRUCTIVE ATMOSPHERE PRODUCED GENERAL SENSE THAT ANY AGREEMENT ON TERMS OF REFERENCE (OTR) WOULD PROBABLY HAVE TO INCLUDE FIVE ELEMENTS:
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FIRST, LEGAL/POLITICAL WORKING GROUP SHOULD NOT DRAFT

A RESOURCES REGIME, BUT SHOULD CONCENTRATE ON LEGAL/
POLITICAL REGIME, BUT SHOULD CONCENTRATE ON LEGAL
/POLITICAL BASIS OF FURTHER DISCUSSIONS AT CONSULTATIVE
MEETING; SECOND, ANY DEL SHOULD BE FREE TO RAISE ANY
LEGAL/POLITICAL ISSUE INCLUDING PRINCIPLES AND
OBJECTIVES FOR RESOURCES REGIME; THIRD, STUDY ON ENVIRON-
MENTAL QUESTIONS AND SEPARATE STUDY ON LEGAL/POLITICAL
QUESTIONS SHOULD NOT PREJUDICE EACH OTHER OR THE POSITION
OF ANY GOVERNMENT; FOURTH, LEGAL/POLITICAL STUDY
SHOULD EXPLICITLY ASSESS MINERAL RESOURCES ACTIVITIES
COULD OCCUR WITH SAFETY FOR THE ANTARCTICA ENVIRONMENT;
FIFTH, POLICY OF RESTRAINT MUST BE IN TEXT.

3. BRENNAN OF AUSTRALIA REPORTED CONVERSATION WITH
NORWEGIAN DEL IN WHICH HE WAS INFORMED THAT NOR-
WEGIAN FIRM ACTIVELY INTERESTED IN UNDERTAKING EXPLORA-
TION IN NORWEGIAN CLAIMED AREA. NORWEGIAN DEL SAID TO
CONSIDER IT IMPOSSIBLE TO RESTRAINT THIS FIRM IF NO SATIS-
FACTORY RECOMMENDATION RESULTS FROM THIS MEETING.

4. ARGENTINA DEL APPROACHED INFORMAL WORKING GROUP
ON TOR IN MORE CONSTRUCTIVE ATTITUDE THEN ABEFORE,
ALTHOUGH CONTINUING HARD LINE POSITION WHILE SEEKING
ACCOMMODATION FOR WHICH HE MIGHT OBTAIN GOVERNMENT'S
APPROVAL. CHILIAN DEL LEADER (ZEGERS) LUCHED
WITH US DELOFFS AND SOUGHT TO DISPLAY CONSTRUCTIVE
ATTITUDE CONSTRAINED BY CHILEAN INTERNAL POLITICS.
GENERALLY, DELS APPEARED TO BE PREPARED TO AGREE TO ANY
TOR THEY BELIEVE CAN BE APPROVED IN THEIR
CAPITALS, BUT SOME FEEL RECOMMENDATIONS TO DISCUSS
REGIME SERIOUSLY OR RECOMMENDATION WITHOUT RESTRAINT
POLICY COULD NOT BE APPROVED. ALTHOUGH JAPAN AND
USSR DO NOT PARTICIPATE IN MINERAL RESOURCES DISCUSSIONS
GENERALLY, SOVIETS HAVE TABLED DRAFT RECOMMENDATION CALLING
FOR MORATORIUM AND LENGTHY PERIOD OF JOINT GEOLOGICAL
AND SCIENTIFIC STUDY.

5. DEL PERCEIVES THREE OPTIONS ON THE TABLE AT THIS
STAGE: FIRST OPTION IS MEETING LEGAL/POLITICAL EXPERTS
TO DISCUSS SPECIFIC REGIME. THIS APPEARS TO BE
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UNACCEPTABLE TO CHILE, ARGENTINA AND AUSTRALIA. SECOND
OPTION IS MEETING OF THESE EXPERTS ON BASIS OF TOR OUT-
LINED PARA 2. MOST DELS NOT PREPARED TO COMMENCE NGO-
TITATION OF A RESOURCE REGIME BUT ARE WILLING TO DISCUSS
LEGAL/POLITICAL BASIS OF A REGIME. THIRD
OPTION IS TO HOLD 9TH CONSULTATIVE MEETING NEXT SUMMER
OR RELEGATE LEGAL/POLITICAL ISSUES TO PREPARATORY
MEETINGS FOR 9TH MEETING IN 1977. OF COURSE, OTHER

OPTIONS ARE TO HAVE NO RECOMMENDATION OR ONLY
RECOMMENDATION CALLING ON STATES TO STUDY ISSUES TND
CONSULT THROUGH DIPLOMATIC CHANNELS PRIOR TO 1977
CONSULTATIVE MEETING.

6. ECOLOGICAL IMPLICATION STUDY IS BEING TREATED
SEPARATELY FROM THE ABOVE. MAJOR DIFFERENCES IS OVER THE
ROLE OF SCAR TIN THIS STUDY.

7. GUIDANCE REQUESTS BY IMMEDIATE CABLE. DEL
RECOMMENDS WITHER SEEKING 9TH MEETING NEXT, OR
PREPCOM WITHOUT TOR NEXT SUMMER FOR 9TH MEETING IN 1977.
AS FALLBACK ASSUMING AGREEMENT NOT POSSIBLE WITHIN ABOVE
TWO OPTIONS, DEL RECOMMENDS FURTHER STUDY BY GOVERNMENTS
AND CONSULTATION THROUGH DIPLOMATIC CHANNELS WITHOUT
STATEMENT OF RESTRAINT POLICY IN THE RECOMMENDATION
OR REPORT.
BYREN

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